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4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**  
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7 RONNIE L. McDANIEL, )

8 Plaintiff, )

9 vs. )

10 STATE OF NEVADA PAROLE BOARD, )

11 Defendant. )  
\_\_\_\_\_ )

2:08-cv-01106-RCJ-PAL

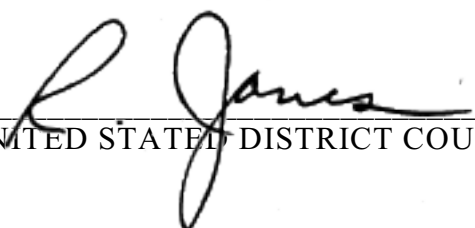
**ORDER**

12 Before the Court for consideration is the Report of Findings and Recommendation  
13 of Magistrate Judge Peggy A. Leen, entered December 10, 2008 (#4). No objections  
14 have been filed.

15 The Court has conducted a review of the record in this case and determines that  
16 the Report of Findings and Recommendation of the United States Magistrate Judge  
17 entered December 10, 2008, should be affirmed.

18 IT IS THEREFORE ORDERED that Magistrate Judge Leen's Report of Findings  
19 and Recommendation (#4) be affirmed and adopted, and that this case shall be  
20 **DISMISSED without prejudice** for Plaintiff's failure to file an amended complaint  
21 within 30 days.

22 DATED: February 12, 2009

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25 UNITED STATES DISTRICT COURT